

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

SUITS –LA – AMRP – Nalgonda District - O.P.No.29/1989 pertaining to Gudipally (V) P.A.Pally (Mandal) - Sanction of decretal amount of **Rs.13,56,254/-** - Orders Issued.

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IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 693

DATE:08.09.2008

Read:

From the Spl.CS to Govt & CCLA, AP, Hyderabad Lr.No.G3/656/2008

dated 23.07.08 along with the proposal of the Spl.Collector, LA, Nalgonda.

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O R D E R:

The Special Chief Secretary & Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted proposal for sanction of decretal charges in respect of O.P.No.29/1989 pertaining to Gudipally (Village) of P.A.Pally (Mandal) of Nalgonda District. The then SDC/LAO, Deverkonda had acquired an extent of Ac.37.06 gts situated in Gudipally (V) P.A.Pally (M) for the purpose of SLBC Canal by fixing the market value @Rs.5,000/- per acre for Dry lands and Rs.6,000/- per acre Wet lands vide Award No.18/85 dt:27.01.1996. The awardees have filed U/s 18 and the same were sent to the Sub-ordinate Judge, Nalgonda. The Sub-ordinate Judge, Nalgonda in his judgment and decree dt:26.02.1993 has enhanced the market value from Rs.5,000/-per acre to Rs.30,000/- per acre for Wet lands considering the day to day hiking of the land values and having regard to the nature of land, its location and potentiality. Aggrieved by the said Decree, the LAO had preferred an appeal before the Hon'ble H.C of A.P, Hyd. The Hon'ble High Court of A.P, Hyd has granted interim stay in CMP No.5012/99 against O.P.No.29/89 on condition that the Petitioner/Appellant deposit 50% of the decretal amount within (8) weeks from 05.03.99 and the claimants are entitled to withdraw the same without furnishing any security. Accordingly, Govt.have sanctioned an amount of Rs.14,61,906/- and deposited in Sub-ordinate Judge Court, Nalgonda on 05.08.1999. Finally, the Hon'ble H.C of AP, Hyd has disposed the case on 24.03.2006 and fixed the market value @Rs.25,000/- per acre both Wet and Dry lands uniformly.

2) After careful examination of the matter, Government hereby accord administrative sanction for an amount of **Rs.13,56,254/- (Rupees Thirteen lakhs fifty six thousand two hundred and fifty four only)** towards decretal charges in respect of O.P.No.29/1989 pertaining to Gudipally (V) P.A.Pally (M) of Nalgonda District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(pto)

3) The Special Collector, LA, Nalgonda District is directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.29/1989 for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) above shall be debitible to following Head of Account under "4701 – Capital outlay on Major and Medium Irrigation–01 – Major Irrigation (Commercial) – M.H.125 – SLBC – SH (27) – Canals and Distributaries – 530 – Major works - 532 (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.3733/F.5 (A1)/2008-1, dated 23.08.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS  
SECRETARY TO GOVERNMENT

To  
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.  
The Special Collector, LA, Nalgonda District.  
The District Collector, Nalgonda District  
The Engineer-in-Chief, Irrigation, Erramanzil, Hyderabad.  
The Land Acquisition Officer & SDC, LA Unit, Nalgonda Dist.  
The Director of Works Accounts, Hyderabad.  
Copy to: P.S. to Minister (M& MI).  
Finance (W&P) Department/File C.No.22389/LA-III(A2)/2008.  
SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER